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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/989,765	11/19/2001	Manfred Bartz	CYPR-CD01194M	2082

7590 10/02/2006

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EXAMINER
NGUYEN, MAIKHANH

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 10/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/989,765

Applicant(s)

BARTZ ET AL.

Examiner

Maikhanh Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: RCE filed 07/17/2006 to the original application filed 11/19/2001.

Claims 1-30 are currently pending in this application. Claims 1, 11, and 21 have been canceled. Claims 1, 11, and 21 are independent claims.

Specification

2. The cross reference related to the application cited in the specification must be updated (i.e., update the relevant status, with PTO serial numbers or patent numbers where appropriate). Correction is required.

It is noted that applicant has other related applications (e.g., Application 09/989,816, filed 11/19/2001, now U.S Patent No. 6,715,132. It is requested that any related application be referred to in the first sentence of the specification. Applicant is also requested to supply the serial numbers of all other related applications currently pending before the U.S Patent & Trademark Office.

Request Continuation for Examination

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 07/17/2006 has been entered.

Double Patenting

4. The nonstatutory double patenting; rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. CIT. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Uogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 C.F.R.' 1.321(b) would

overcome an actual or provisional rejection on this ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 C.F.R.' 1.78(d).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 1-30 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-26 of U.S. Pat. No. 6,715,132.

Claims 1-30 of the instant application are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-26 of the Patent '132. Although the conflicting claims are not identical, they are not patentably distinct from each other because the context of the claims in the instant application is the same as the context of the claims in the Patent '132.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Anderson et al.** (U.S. 6,282,551, filed 07/20/1998) in view of **Rajarajan et al.** (U.S. 6,950,990, filed 12/11/2001).

As to claims 1 and 21:

Anderson teaches a method and computer-usable medium for facilitating the display of information of a document (*e.g., a spreadsheet notebook*) for a selected user module (*e.g., the user simply selects the corresponding tab from tabs 260*) [*e.g., see the Abstract and the discussion beginning at col.8, line 3*], the method comprising:

- receiving the selected user module wherein the user module acts as a preconfigured function for a target device (*e.g., within a spreadsheet notebook... the user simply selects the corresponding tab from tabs 260*) [*e.g., see the discussion beginning at col.8, line 32*];

- scanning said document corresponding to the selected user module for indicators *(e.g., individual notebook pages are identifiers by page identifiers 260...when entering a formula referring to cells on another page, the user may simply use the descriptive page name in the formula itself, thus making it easier for the user to understand the relationship of the cell(s) or information being referenced) [e.g., see the discussion beginning at col.8, line 3]; and*
- in response to said scanning, automatically rendering graphic elements for each corresponding indicator *(e.g., each tab member may include representative indicia...graphic labels) [e.g., see the discussion beginning at col.8, line 3 and col.21, line 1]; and*
- jumping to a predetermined location within said document corresponding to a graphic element selected by a user and displaying information of said predetermined location *(e.g., movement 'i.e., location of desired information cells' within a spreadsheet notebook... to move to different pages in the notebook, the user simply selects the corresponding tab from tabs 260. To move to Page B, for example, the user selects tab 262a; similarly, Page C is reached by selecting tab 263a ... the user may return to Page A by selecting tab 261a. Thus instead of finding information by scrolling different parts of a large spreadsheet, or by invoking multiple windows of a conventional three-dimensional spreadsheet, the present invention allows the user to simply and conveniently "flip through"*

several pages of the notebook to rapidly locate information of interest) [col. 8, lines 33-67; see also figs. 3A-C].

Anderson, however, does not specifically teach wherein said indicators are for indicating a predetermined location within said document.

Rajarajan teaches wherein said indicators are for indicating a predetermined location within said document (*e.g., The resulting XML document has both an object type definition and a search string, and this XML document makes up the query that is passed along to the resource. This query contains the URL or other identifier for the search handler) [see the discussion beginning at col.35, line 43].*

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Rajarajan with Anderson because Rajarajan's teaching would have provided advanced capabilities for customizing output information for a particular client computer system; allowing for the use of many different types of client computer systems (*e.g., laptops, desktops, PDAs, cell phones, etc*); and communicating with the client computer system to provide the proper format and amount of output information, as well as input information.

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As to claims 2, 12, and 22:

Anderson teaches the document is for use in programming a programmable microcontroller comprising programmable digital and programmable analog elements (*see col.7, lines 10-43*).

As to claims 3, 13, and 23:

Anderson teaches the document is a datasheet providing technical details of a corresponding user module, wherein a user module is a pre-configured circuit design for implementation on a microcontroller (*see col.8, lines 3-47*).

As to claims 4, 14, and 24:

Anderson does not specifically teach an HTML document.

Rajarajan teaches an HTML document (*e.g., an HTML document*) [*see the discussion beginning at col.28, line 3*].

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Rajarajan with Anderson because Rajarajan's teaching would have provided the capability for performing scenario-based tasks requiring interaction with multiple resources while providing a uniform user interface for each of the multiple resources.

As to claims 5, 15, and 25:

Anderson does not specifically teach embedded HTML anchors.

Rajarajan teaches embedded HTML anchors (*e.g., the URL*) [*see the discussion beginning at col.35, line 43*].

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Rajarajan with Anderson because Rajarajan's teaching would have provided the capability for performing scenario-based tasks requiring interaction with multiple resources while providing a uniform user interface for each of the multiple resources.

As to claims 6, 16, and 26:

Anderson does not specifically teach an XML document.

Rajarajan teaches an XML document (*e.g., an XML document*) [*see col.35, lines 43-64*].

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Rajarajan with Anderson because Rajarajan's teaching would have provided the capability for performing scenario-based tasks requiring

interaction with multiple resources while providing a uniform user interface for each of the multiple resources.

As to claims 7, 17, and 27:

Anderson teaches the document is selected from a catalog of documents (*see col. 2, lines 13-65*).

As to claims 8, 18, and 28:

Anderson teaches the user module is selected from a catalog of user modules (*see col. 3, line 44-col. 4, line 3*).

As to claims 9, 19, and 29:

Anderson teaches the graphic elements are rendered adjacent to the document (*see col. 7, line 45-col. 8, line 32*).

As to claims 10, 20, and 30:

Anderson teaches a user interacting with a scroll bar for scrolling through the document activates a graphic element upon passing a corresponding indicator of the graphic element, such that a current location on the document is rendered (*see col. 8, lines 32-67 & also see figs. 3A-C*).

As to claim 11:

The rejection of claim 1 above is incorporated herein in full. Additionally, Anderson teaches a bus (*e.g., a system bus 110*); a display device (*e.g., a display device 106*); a memory (*e.g., a main memory 102*); and a processor (*e.g., a central processor 101*) [*col.5, lines 21-31 & also see fig.1*].

Response to Arguments

6. Applicants' arguments filed 07/17/2006 have been fully considered but are moot in view of the new ground(s) rejection.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

-	Burch et al.	U.S. Patent No. 5,901,062	Issued: May 4, 1999
-	Fernandes	U.S. Patent No. 6,014,135	Issued: Jan. 11, 2000
-	Kenney et al.	U.S. Patent No. 6,121,965	Issued: Sep. 19, 2000
-	Angiulo et al.	U.S. Patent No. 6,456,304	Issued: Sep. 24, 2002
-	Weiss	U.S. Patent No. 6,282,551	Issued: Mar. 23, 2004
-	Hekmatpour	U.S. Pub. No. 2002/0156929 A1	Pub. Date: Oct. 24, 2002
-	Zizzo	U.S. Pub. No. 2002/0188910 A1	Pub. Date: Dec. 12, 2002

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- Cypress Microsystems, Inc., *"Cypress Microsystems Unveils Programmable System-On-A-Chip For Embedded Internet, Communications and Consumer Systems"*, November 13, 2000, pp. 1-3.

Contact information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Nguyen whose telephone number is (571) 272-4093. The examiner can normally be reached on Monday - Friday from 9:00am – 5:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached at (571) 272-4136.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MN


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